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12 Attorneys for Plaintiff
13 SUCCESSFACTORS, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17 SUCCESSFACTORS, INC., a Delaware
18 corporation,

19 Plaintiff,

20 v.

21 SOFTSCAPE, INC., a Delaware
22 corporation; and DOES 1-10, inclusive,

23 Defendants.

Case No. CV 08-01376 CW

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
DISCOVERY REFEREE**

Courtroom: G, 15th Floor
Judge: Magistrate Judge Bernard Zimmerman

Date of Filing: April 28, 2008
Trial Date: June 1, 2009

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25 Plaintiff SuccessFactors, Inc. and Defendant Softscape, Inc., by and through their respective
26 counsel of record, hereby stipulate and agree as follows:

27 1. The Court's July 7, 2008 Third Discovery Order (Docket No. 159) states that the
28 "parties must agree to a discovery referee or each party must submit a list of five available

discovery referees without conflict by July 18, 2008.”

2. The parties are in the process of identifying and contacting discovery referees and require additional time to complete conflict checks and finalize their respective lists of available discovery referees or to agree on a stipulated referee.

3. The parties therefore request an order extending their deadline to either agree on a stipulated referee or submit lists of available discovery referees from July 18, 2008 to July 22, 2008.

IT IS SO STIPULATED.

Dated: July 18, 2008

FENWICK & WEST LLP

By: /s/ Laurence F. Pulgram

Laurence F. Pulgram
Attorneys for Plaintiff SuccessFactors, Inc.

Dated: July 18, 2008

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.

By: /s/ Bryan J. Sinclair

Bryan J. Sinclair
Attorneys for Defendant Softscape, Inc.

ATTESTATION


Concurrence in the filing of this document has been obtained from the other signatories.

[PROPOSED] ORDER

Plaintiff SuccessFactors, Inc. and Defendant Softscape, Inc.’s Joint Stipulation and [Proposed] Order Regarding Discovery Referee is hereby GRANTED. The July 18, 2008 deadline is hereby continued by two (2) court days. The parties must agree on a stipulated referee or each party must submit a list of five available discovery referees without conflict by July 22, 2008.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 21, 2008


Magistrate Judge Bernard Zimmerman
United States District Court Judge